



City of Seattle

Gregory J. Nickels, Mayor

Department of Planning and Development

Diane M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 2306375
Applicant Name: Doug Hannam for Dolphin Custom Homes
Address of Proposal: 11333 20th Avenue NE

SUMMARY OF PROPOSED ACTION

Master Use Permit to subdivide one parcel into two parcels of land. Proposed parcel sizes are:
A) 7203.3 square feet and B) 7786.3 square feet. Existing structures to remain.

The following approval is required:

Short Subdivision – to create two parcels of land.
(SMC Chapter 23.24)

BACKGROUND DATA

Zoning: Single Family 7200

Date of Site Visit: April 2, 2004

Uses on Site: Single family home with accessory structure.

Substantive Site Characteristics: The site is generally flat and developed with a house, accessory building and residential open space. There are a number of large trees located on the subject site.

Public Comment

Three public comment letters were received during the comment period which ended on March 4, 2004. The comments expressed concerns about the loss of trees on the subject property.

ANALYSIS - SHORT SUBDIVISION

Pursuant to SMC 23.24.040, no short plat shall be approved unless all of the following applicable facts and conditions are found to exist.

1. *Conformance to the applicable Land Use Code provisions;*
2. *Adequacy of access for vehicles, utilities and fire protection, as provided in Section 23.53.005;*
3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*
4. *Whether the public use and interests are served by permitting the proposed division of land;*
5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions in environmentally critical areas;*
6. *Is designed to maximize the retention of existing trees;*

Summary - Short Subdivision

Based on information provided by the applicant, referral comments from DPD Drainage Review, Water (Seattle Public Utilities), Fire Department (SFD), Seattle City Light, and review by the Land Use Planner, the above cited criteria have been met subject to the conditions imposed at the end of this decision. The lots to be created by this short subdivision will meet all minimum standards or applicable exceptions prescribed in the Land Use Code, and are consistent with applicable development standards. As conditioned, this short subdivision can be provided with vehicular access, public and private utilities and access (including emergency vehicles). Adequate provisions for drainage control, water supply and sanitary sewage disposal have been provided for each lot and service is assured, subject to standard conditions governing utility extensions. The proposal site is not located in an environmentally critical area; therefore SMC 25.09.240 is not applicable.

The proposed plat creates two parcels of land from one parcel of land so there is little or no opportunity to re-locate the proposed lot line to retain more trees while still providing a viable building site. Development of the proposed plat will likely result in the removal of five conifer trees and numerous fruit trees on Parcel B. Six conifer trees will likely be retained on Parcel A in that the house is to remain. The applicant provided an Arborist report dated August 29, 2002 which provides information on the health and condition of the trees on the site. One tree on Parcel B, a 29 inch diameter white pine could be considered exceptional for size; although the tree is in poor health. The report states, "The current condition, level of hazard and survivability of the Pine precludes the designation of this tree as exceptional under the Director's Rule" (DR 6-2001). The other trees are not considered exceptional and are in poor or moderate health according to the arborist report. The five conifer trees to be removed consist of a 21 inch douglas fir (*Pseudotsuga Menziesii*), a 29 inch and 23 inch white pine (*Pinus Monticola*) and a 25.6 inch and 29.4 inch red cedar (*Thuja Plicata*). The trees over two (2) feet in diameter will be replaced with one or more trees that upon maturity will replicate the canopy provided prior to removal pursuant to SMC 25.11.090. The size and species of the tree will be determined by DPD at the time of development.

The public use and interest are served by the proposal since all applicable criteria are met and the proposal creates the potential for additional housing opportunities in the City.

DECISION - SHORT SUBDIVISION

The proposed Short Subdivision is **CONDITIONALLY GRANTED**.

CONDITIONS - SHORT SUBDIVISION

Conditions of Approval Prior to Recording

The owner(s) and/or responsible party(s) shall:

1. Have final recording documents prepared by or under the supervision of a Washington state licensed land surveyor. Each lot, parcel, or tract created by the short subdivision shall be surveyed in accordance with appropriate State statutes. The property corners set shall be identified on the plat and encroachments such as side yard easements, fences or structures shall be shown. Lot areas shall be shown on the plat. All existing structures, principal and accessory, shall be shown on the face of the plat, and their distances to the proposed property lines dimensioned.
2. Submit the final recording forms for approval, and any necessary fees.
3. Add a note on the face of the plat indicating which trees are to be removed on Parcel B.

4. Insert the following on the face of the plat: "Any tree removal or replacement is subject to the requirements of Seattle Municipal Code 23.44.008 and the Tree Protection Regulations in Seattle Municipal Code 25.11."
5. Insert the following on the face of the plat: "To maximize the retention of trees, five conifer trees are likely to be removed as noted with the development of Parcel B. All other conifer trees are likely to remain."
6. A no-protest agreement for future improvements to 20th Avenue NE shall be signed and recorded with the King County Department of Records and Elections.

After Recording and Prior to Issuance of Any Building Permits

The owner(s) and/or responsible party(s) shall:

1. Attach a copy of the recorded short subdivision to all copies of future building permit application plans.

Signature: _____ (signature on file) _____ Date: June 10, 2004
Jess E. Harris, AICP, Land Use Planner
Department of Planning and Development

JEH:bg

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